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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,875	08/05/2003	Vincent Alan Larsen	SAGE-26,418	9039
758	7590	09/19/2006	EXAMINER	
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			LEMMA, SAMSON B	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,875

Applicant(s)

LARSEN, VINCENT ALAN

Examiner

Samson B. Lemma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1-6</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. **Claims 1-22** have been examined.

Priority

2. This application claims priority of an application 10,061,701 filed on Feb 1, 2002. Therefore, the effective filing date for the subject matter defined in the pending claims of this application is **02/01/2002**.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-22** are rejected under 35 U.S.C. 102(b) as being anticipated by a **publication submitted with IDS, with the title, "Proceedings of The Fifth Symposium on Operating Systems Principles", University of Texas at Austin** (hereinafter referred as **Fifth Symposium**) (Publication date November 21, 1975)
5. **As per claims 1 and 12** **Fifth Symposium** discloses a **method of secure file transfer between a first client and a second client each communicably connected to a secure file transfer server implementing a process-based security system**, [See Page 144, section 2.5, "Sharing" and page 144, section 2.4 and page 142, section 3 "access to objects is controlled by capabilities"] (For instance on page 144, under the section 2.5, "sharing" the following has been disclosed. "Two executing LNS'S, User-1 and User-2" which meets the limitation of the first client and a second client and "User-1 can store data into Comm

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1's Data-part and User-2 can retrieve it, assuming their capability contain the rights/permissions that allow the necessary K-calls" and furthermore on page 142, section 3 it has been taught that "access to objects is controlled by capabilities" and this all in combination meets the limitation of a first client and a second client each communicably connected to a secure file transfer server implementing a process-based security system) **comprising the steps of:**

Authenticating a first client; checking a first client resource access table for permission to store data; receiving data from said first client; storing said received data in secure file transfer storage; [See Page 144, section 2.5

"Sharing" and page 144, section 2.4 and page 145, "Rights"] (For instance on page 144, under the section 2.5, sharing the following has been disclosed. "User-1 can store data assuming its capability contains the rights that allow the necessary k-calls and this inherently contains authentication before the first client is allowed to store data.

Furthermore it has been recited that "User-1 has a right/permission to store and read data". This inherently indicates the fact that if User-1 didn't contain the necessary right/permission, it would not be allowed to store the data and this meets the recitation of the above limitation.);

Authenticating a second client; receiving a request from said second client for access to said stored received data; checking a second client resource access table for permission to access said stored received data; providing access to the second client where the second client resource access table indicates access permission; and denying access to the second client where the second client resource access table does not indicate access

permission. [See Page 144, section 2.5 Sharing and page 144, section 2.4 and page 145, "Rights" and see page 142, "protection Mechanisms"] ("user 1 wishes to grant USER-2 read access only. As figure 2.1 illustrates, it is possible for user-1 to store a capability for

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the file in Comm-1, restricting the rights so that the capability for the file placed/stored in Comm-1, and user-2 can then gain read access meets the limitation of the claim. This is because, User-2 can read the data/file if and only if it has the required access rights/permission otherwise access to the particular file will be denied.)

6. **As per claims 2, 10-11, 13 and 21-22 Fifth Symposium discloses a method as applied to claims above. Furthermore, Fifth Symposium discloses the method, wherein said first client and said second client are each communicably connected to a secure file transfer server by a network.** [Page 142, section "3", "access to objects is controlled by capabilities" which meets the limitation secure file transfer server and see also Page 144, section 2.5, sharing, see figure 2.1 on page 145 which has a network of three computers/users connected to each other.)

7. **As per claims 3 and 14 Fifth Symposium discloses a method as applied to claims above. Furthermore, Fifth Symposium discloses the method, wherein said first client comprises a first process.** [See Page 144, section 2.5 "Sharing" and See page 142, section 2, "Objects are distinguished by type", it has been further disclosed that such object can be Process)

8. **As per claims 4, 9, 15 and 20 Fifth Symposium discloses a method as applied to claims above. Furthermore, Fifth Symposium discloses the method, wherein said step of checking the first client resource access table includes checking permission for said first process to store data.** [See Page 144, section 2.5 "Sharing" and page 144, section 2.4 and page 145, "Rights" and page 142, section 3, "access to objects is controlled by capabilities" (For instance on page 144, under the section 2.5, sharing the following has been disclosed. "User-1 can store data assuming its capability contains the rights that allow the necessary k-calls inherently contains authentication before the first client is allowed to store data. Furthermore it has been recited that "User-1 has a right/permission to

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store and read data". This inherently indicates the fact that if User-1 does not contain the necessary right/permission, he would not be allowed to store the data and this meets the recitation of the above limitation.);

9. As per claims 5 and 16 Fifth Symposium discloses a method as applied to claims above. Furthermore, Fifth Symposium discloses the method, wherein said second client comprises a second process. [See Page 144, section 2.5 "Sharing" and see page 142, see 2, "Objects are distinguished by type", it has been disclosed that such objects can be Process)

10. As per claims 6 and 17 Fifth Symposium discloses a method as applied to claims above. Furthermore, Fifth Symposium discloses the method, wherein said step of checking the second client resource access table includes checking for permission for said second process to access stored data. [See Page 144, section 2.5 Sharing and page 144, section 2.4 and page 145, "Rights" and see page 142, "protection Mechanisms", see also page 142, section 3, "access to objects is controlled by capability] ("user 1 wishes to grant USER-2 read access only. As figure 2.1 illustrates, it is possible for user-1 to store a capability for the file in Comm-1, restricting the rights so that the capability for the file placed/stored in Comm-1, and user-2 can then gain read access meets the limitation of the claim. This is because, User-2 can read the data/file if and only if it has the required access rights/permission otherwise access to the particular file will be denied.)

11. As per claims 7 and 18 Fifth Symposium discloses a method as applied to claims above. Furthermore, Fifth Symposium discloses the method, wherein said received data is stored in a directory. [See page 143, column 2, line 3-4 and See Page 144, section 2.5 Sharing], (As indicated on page 143, column 2, line 3-4 file

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directory contains lists of files and as it is disclosed on Page 144, section 2.5 Sharing, files are stored into Comm-1, meets the limitation of directory)

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.(See PTO-Form 892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-873-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

S.L.
09/10/2006

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